

PIPE  
APR 22 2004  
PATENT & TRADEMARK

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

RECEIVED

APR 27 2004

Technology Center 2600

In re Application of: Spruyt et al.

Application No.: 10/082,631

Filed: February 22, 2002

For: MODULATION/DEMODULATION OF A PILOT CARRIER, MEAND AND METHOD TO PERFORM THE  
MODULATION/DEMODULATION

The owner, Alcatel Alsthom Compagnie Generale  
D'electricite, of 100 percent interest in the instant application hereby  
disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application,  
which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently  
shortened by any terminal disclaimer, of prior Patent No. 6,370,156 B2. The owner hereby agrees that any patent  
so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are  
commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee,  
its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant  
application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the  
prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a  
maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in  
whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or  
is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal  
disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency,  
etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on  
information and belief are believed to be true; and further that these statements were made with the knowledge that willful  
false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of  
the United States Code and that such willful false statements may jeopardize the validity of the application or any patent  
issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

Kenneth Q. Lao April 20, 2004  
Signature Date

04/23/2004 MBERHE 00000126 10082631

01 FC:1814

110.00 OP

Kenneth Q. Lao

Typed or printed name

(203) 261-1234

Telephone Number

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not  
be included on this form. Provide credit card information and authorization on PTO-2038.**

\*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the  
USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete,  
including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments  
on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent  
and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS  
ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance completing the form, call 1-800-PTO-9199 and select option 2.